

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER

January 12, 1999

UNITED STATES OF AMERICA,)	
Complainant,)	
)	
v.)	8 U.S.C. § 1324a Proceeding
)	OCAHO Case No. 98A00095
)	
ALL-WORK, INC.)	
Respondent.)	
_____)	

FINAL DECISION AND ORDER

This is an action arising under the Immigration and Nationality Act, as amended, 8 U.S.C. § 1324a (INA), in which the United States Department of Justice, Immigration and Naturalization Service (INS) is the complainant and All-Work, Inc. is the respondent. On January 11, 1999, the parties filed a joint motion to approve consent findings which was signed by both parties and was accompanied by consent findings resolving all issues raised by the complaint.

OCAHO Rules of Practice and Procedure¹ provide that:

- (a) Where the parties or their authorized representatives or their counsel have entered into a proposed settlement agreement, they shall:
 - (1) Submit to the presiding Administrative Law Judge:
 - (i) The proposed agreement containing consent findings; and
 - (ii) A proposed decision and order;
 - or (emphasis added)
 - (2) Notify the Administrative Law Judge that the parties have reached a full settlement and have agreed to dismissal of the action. Dismissal of the action shall be subject to the approval of the Administrative Law Judge. 28 C.F.R. § 68.14.

In this case, I find that the parties have complied with the requirements of 28 C.F.R. § 68.14(a)(1). I have reviewed the consent findings, and find that their terms are appropriate pursuant to 28 C.F.R. § 68.14(b) in timeliness, form, and substance, and they are approved in

¹ Rules of Practice and Procedure for Administrative Hearings, 28 C.F.R. Pt. 68 (1998).

their entirety by reference as if set forth herein at length.

It is therefore ordered under the terms of the agreement and pursuant to 28 C.F.R. § 68.14(c):

1. That the respondents cease and desist from any further violations of the Immigration Reform and Control Act of 1986, and pay a civil money penalty in the sum of SEVEN THOUSAND FOUR HUNDRED DOLLARS (\$7,400.00) for the violations set out in Counts I and II of the Notice of Intent to Fine and complaint.
2. That each party bear its own attorney fees, other expenses, and costs incurred by such party in connection with any stage of these proceedings.
3. That this Decision and Order shall have the same force and effect as a Decision and Order made after a full administrative hearing.
4. That the respondent All-Work withdraws its answer denying the allegations of the complaint and withdraws its request for hearing.
5. That the entire record on which this Decision and Order shall be based shall consist solely of the complaint, the notice of hearing, the motion to approve consent findings, the consent findings, and this order.
6. That the parties hereto have waived any further procedural steps before the Administrative Law Judge and OCAHO.
7. That the parties hereto have waived any right to challenge or contest the validity of this Decision and Order in accordance with the Consent Findings.
8. That any hearing previously scheduled is hereby canceled.
9. That as provided in 28 C.F.R. § 68.53(a), this Decision and Order shall become the Order of the Attorney General unless within thirty (30) days from this date the Chief Administrative Hearing Officer shall have modified or vacated it.

SO ORDERED.

Dated and entered this 12th day of January, 1999.

Ellen K. Thomas
Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of January, 1999, I have served copies of the foregoing Final Decision and Order on the following persons at the addresses indicated:

Dea Carpenter, Esq.
Associate General Counsel
Immigration and Naturalization Service
425 "I" Street, N.W., Room 6100
Washington, D.C. 20536-9999

Christine M. Young, Esq.
Assistant District Counsel
Immigration and Naturalization Service
10 West Jackson Street, Suite 610
Chicago, IL 60604

Christopher Cohen, Esq.
205 W. Wacker Drive, Suite 701
Chicago, IL 60606-1212

Robert Broday
All Work, Inc.
1951 N. California Ave.
Chicago, IL 60647

Office of the Chief Administrative Hearing Officer
5107 Leesburg Pike, Suite 2519
Falls Church, Virginia 22041

Cynthia A. Castañeda
Paralegal Specialist assigned to
Ellen K. Thomas
Administrative Law Judge
Office of the Chief Administrative Hearing Officer
5107 Leesburg Pike, Suite 1905
Falls Church, Virginia 22041
(703) 305-1742